Const. petition
u/Art 226 of Constitution
of India

(30)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

Cat. Category Code.....

आदेश पत्रक

Single Bench

मामला क्रमांक W.P. 934 सन 200

Ambikaprasad Pandey V/s State of Chhattisgarh

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
		PR/936/01

Petition of W.P.
Presented on 31-5-2001
with
by Shri Pvt. Form Subhash Dhamtari
it be checked fixed for.....

(32)

XI-HC-22

उच्च न्यायालय, मध्यप्रदेश, जबलपुर

आदेश पत्रक

मामला क्रमांक W.P 934 सन् ~~199~~ 2K

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

11.7.2001:Mr.Vijay Deshmukh for the petitioner.
Dr. N.K.Shukla learned Dy.A.G. For the State.

Petitioner had launched Revanchal India Ltd. Chit Fund Scheme. He is prosecuted in various courts. In connection with crime no. 117/98 trial is going on before Judicial Magistrate Ist class, Bilaspur where he has been released on bail. In another case he is in Dhamtari sub jail in connection with crime no. 229/98 and the trial is going on before Chief Judicial Magistrate, Dhamtari. In yet another case the trial is going on in the court of Chief Judicial Magistrate, Durg, in connection with crime no.67/2000. The petitioner is in jail for the last three years. The trial is; directed to be expedited. State will see that the witnesses are produced in court for trial. Fortnightly report be submitted to the Registrar of this Court through the District and Sessions Judge. The petitioner is in judicial custody, as he has not been granted bail, he made complaint to Chief Judicial Magistrate who ought to have inquired and passed orders. That has not been done, pointed out amicus curiae. Chief Judicial Magistrate should have inquired about the complaint. The Chief Judicial Magistrates shall forthwith inquire about the complaint, made if any, by undertrial, in accordance with law. The state is duty bound to provide food to the applicant .If some amount is required for that purpose, it shall be provided by the State authorities. The petitioner prays that he be transferred to Durg Jail so that his case at Durg where only two or three witnesses remain to be examined can be decided. He may be transferred and kept at Durg. In the case at Dhamtari about 37 witnesses have to be examined and it will take time. As such after the trial at Durg the jail authorities may consider his case and he be kept at Raipur or Dhamtari wherever it may be convenient.

The court concerned and the chief judicial magistrate wherever the cases are pending to expedite the trial and state also to co-operate.

The District and Sessions Judge and the Chief Judicial magistrate concerned should visit jail periodically, so that his grievance of undertrial prisoners if any may be redressed then and there and suitable order may be passed.

Certified copy free of cost.

Photocopy of the order be also sent to the petitioner and District and Sessions Judge and the CJM concerned.

Before parting the court appreciates the assistance rendered by Shri Vijay Deshmukh.

Sd/-
Fakhruddin
Judge

[पीछे देखिये